

decision, if any, and such other considerations as deemed appropriate. The Regional Administrator will notify all interested persons of the decision, and the reasons therefor, in writing, normally within 30 days of the receipt of sufficient information, unless additional time is needed for a hearing.

(iii) If a hearing is requested, or if the Regional Administrator determines that one is appropriate, the Regional Administrator may grant an informal hearing before a hearing officer designated for that purpose after first giving notice of the time, place, and subject matter of the hearing in the FEDERAL REGISTER. Such a hearing shall normally be held no later than 30 days following publication of the notice in the FEDERAL REGISTER, unless the hearing officer extends the time for reasons deemed equitable. The appellant, the applicant (if different), and, at the discretion of the hearing officer, other interested parties, may appear personally and/or be represented by counsel at the hearing and submit information and present arguments as determined appropriate by the hearing officer. Within 30 days of the last day of the hearing, the hearing officer shall recommend in writing a decision to the Regional Administrator.

(iv) The Regional Administrator may adopt the hearing officer's recommended decision, in whole or in part, or may reject or modify it. In any event, the Regional Administrator shall notify interested persons of the decision, and the reason(s) therefore, in writing, within 30 days of receipt of the hearing officer's recommended decision. The Regional Administrator's action constitutes final action for the agency for the purposes of the Administrative Procedure Act.

(5) The Regional Administrator may, for good cause, extend any time limit prescribed in this section for a period not to exceed 30 days, either upon his or her own motion or upon written request from the Council, appellant or applicant stating the reason(s) therefore.

[75 FR 2205, Jan. 14, 2010, as amended at 78 FR 33003, June 3, 2013]

#### § 665.625 Prohibitions.

In addition to the general prohibitions specified in § 600.725 of this chapter and § 665.15, it is unlawful for any person to do any of the following:

- (a) [Reserved]
- (b) Fish for, take, or retain any PRIA coral reef ecosystem MUS species:
  - (1) That is determined overfished with subsequent rulemaking by the Regional Administrator.
  - (2) By means of gear or methods prohibited under § 665.627.
  - (3) [Reserved]
  - (4) In violation of any permit issued under §§ 665.13 or 665.624.
- (c) Fish for, take, or retain any wild live rock or live hard coral except under a valid special permit for scientific research, aquaculture seed stock collection or traditional and ceremonial purposes by indigenous people.

[75 FR 2205, Jan. 14, 2010, as amended at 78 FR 33003, June 3, 2013]

#### § 665.626 Notifications.

Any special permit holder subject to the requirements of this subpart must contact the appropriate NMFS enforcement agent in American Samoa, Guam, or Hawaii at least 24 hours before landing any PRIA coral reef ecosystem MUS unit species harvested under a special permit, and report the port and the approximate date and time at which the catch will be landed.

#### § 665.627 Allowable gear and gear restrictions.

(a) Coral reef ecosystem MUS may be taken only with the following allowable gear and methods:

- (1) Hand harvest;
- (2) Spear;
- (3) Slurp gun;
- (4) Hand net/dip net;
- (5) Hoop net for Kona crab;
- (6) Throw net;
- (7) Barrier net;
- (8) Surround/purse net that is attended at all times;
- (9) Hook-and-line (includes handline (powered or not), rod-and-reel, and trolling);
- (10) Crab and fish traps with vessel ID number affixed; and
- (11) Remote-operating vehicles/submersibles.